

STATE • INDIANA



INDIANA UTILITY REGULATORY COMMISSION
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FILED

FEB 20 2004

**IN THE MATTER OF SPRINT'S)
SUBMISSION TO THE COMMISSION)
OF AN AFFILIATE TRANSACTION)
AGREEMENT IN ACCORDANCE)
WITH I.C. §8-1-2-49(2))**

CAUSE NO. 42559

**INDIANA UTILITY
REGULATORY COMMISSION**

You are hereby notified that on this date the Indiana Utility Regulatory Commission ("Commission") has caused the following entry to be made:

On December 24, 2003 United Telephone Company of Indiana, Inc., d/b/a Sprint ("Sprint" or "petitioner") pursuant to 170 I.A.C. 1-1.1-4, ("Petitioner") filed its *Verified Petition for Protection of Confidential and Propriety Information* ("Petition") in this Cause. In its Petition, the Petitioner indicates that certain information that it intends to submit in this matter, contains trade secrets ("Confidential Information") as that term is defined under Indiana Code 24-2-3-2. Information containing trade secrets is excepted from public disclosure under Indiana Code 5-14-3-4(a)(4). In support of its Motion, the Petitioner includes the sworn *Affidavit of Alan Matsumoto* ("Affidavit"). The Affidavit has been placed in the Commission's official file in this matter and is hereby incorporated by reference.

170 I.A.C. 1-1.1-4 governs the submission of confidential or privileged information to the Commission, and requires the applicant to apply for a finding by the Commission that the information is confidential. The application must be accompanied by the sworn statement or testimony of a party that describes: 1) the nature of the confidential information; 2) the reasons why the information should be treated as confidential pursuant to I.C. 8-1-2-29 and I.C. 5-14-3; and, 3) the efforts the party has made to maintain the confidentiality of the information.

A duly noticed evidentiary hearing was held in this matter on January 28, 2004, at which time the Petition and Affidavit were introduced into evidence and the confidential material was reviewed pursuant to a preliminary finding of confidentiality.

The Presiding Officer, having reviewed the information contained in the Petition, affidavit and the confidential material itself, finds that there is sufficient basis for a finding that confidential procedures are appropriate and should be followed concerning information addressed in the Petition. Accordingly, the information shall be treated as confidential in accordance with I.C. § 5-14-3-4 and shall not be treated as a public record.

IT IS SO ORDERED.

Abby R. Gray
Abby R. Gray, Administrative Law Judge

Date: February 20, 2004

Pamela White acting for
Nancy E. Manley, Secretary to the Commission